

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MILAN HEGGS, ROY BECKFORD and
PHILIP LEGREE, *individually and on behalf of
a class of all others similarly situation,*

Plaintiffs,

and

DISABILITY RIGHTS NEW YORK,

Plaintiff,

and

DISABLED IN ACTION,

Plaintiff,

- against -

THE CITY OF NEW YORK, NEW YORK
CITY POLICE (NYPD), COMMISSIONER
JAMES P. O'NEILL; NYPD COMMISSIONER
DERMOT F. SHEA; NYPD OFFICER (P.O.)
ROBERT BERNHARDT; P.O. MOORAN, P.O.
SLATER; JOHN DOES 1-8,

Defendants.

No. 17-CV-03234 (RJD)(TAM)

**DECLARATION OF TIMOTHY A. CLUNE IN SUPPORT OF
MOTION FOR CLASS CERTIFICATION**

TIMOTHY A. CLUNE, declares under penalty of perjury, and pursuant to 28 U.S.C. §
1746, that the following is true and correct:

1. I am an attorney admitted to practice before the courts of the State of New York and this District. I submit this declaration in support of Plaintiffs' Motion for Class Certification.
2. I am the Executive Director of Disability Advocates, Inc.
3. Disability Advocates, Inc. is an independent non-profit corporation organized under the laws of the State of New York.
4. Disability Advocates, Inc. does business and has sued under the name Disability

Rights New York (DRNY).

5. Under the Developmental Disabilities Assistance and Bill of Rights Act (DD Act), Congress gives significant federal funding to states for services to individuals with disabilities provided the state establishes a Protection and Advocacy (P&A) system that meets certain specified conditions.


6. DRNY is the designated P&A system for individuals with disabilities in New York State, as set forth in N.Y. Exec. Law 558(b).

7. As the P&A system for the State of New York, DRNY is the recipient of eight federal grants mandating particular areas of advocacy.

8. DRNY is specifically authorized to pursue legal, administrative, and other appropriate remedies or approaches to ensure the protection of, and advocacy for, the rights of individuals with disabilities.

9. DRNY investigates allegations of abuse and neglect of persons with disabilities and engages in individual and systemic litigation.

Date: September 19, 2022
Albany, New York



Timothy Clune